

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Civil No.: 06-2007 (ADM/JJG)

Eng Yang,

Petitioner,

ORDER

V.

Alberto Gonzales, Attorney General,
Denise Frazier, District Director of USCIS
and Scott Banieceke, Field Office Director [of]
Immigration Customs Enforcement,

Respondents.

Based upon the Report and Recommendation by United States Magistrate Judge Jeanne J. Graham dated December 21, 2006; all the files, records, and proceedings herein; and no objections having been filed to that Report and Recommendation; **IT IS HEREBY ORDERED** that Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241(Doc. No. 1) is **DENIED AS MOOT** and this case is dismissed.

Dated: January 30, 2007

s/Ann D. Montgomery

ANN D. MONTGOMERY
United States District Judge